



Attorney Docket No.: 9099-4

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Robert D. Black  
Serial No.: 10/005,889  
Filed: November 7, 2001  
For: METHODS, CIRCUITS AND COMPOSITIONS OF MATTER FOR IN VIVO  
DETECTION OF BIOMOLECULE CONCENTRATIONS USING FLUORESCENT  
TAGS

Group: 1633  
Examiner: G. Counts  
Confirmation No.: 7939

May 25, 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

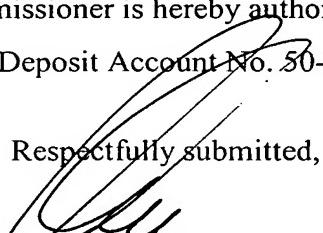
**INFORMATION DISCLOSURE STATEMENT  
PURSUANT TO 37 C.F.R. § 1.97(b)**

Sir:

Attached is a form PTO-1449, together with a copy of each of the identified document(s). It is requested that these documents be considered by the Examiner and officially made of record in accordance with the provisions of 37 C.F.R. § 1.56 and Section 609 of the MPEP.

This Information Disclosure Statement is submitted in accordance with 37 C.F.R. § 1.97(b), within three months of the filing date of the above-referenced application or before the mailing of a first Office Action on the merits, whichever event occurs last. Therefore, no fee is believed due. However, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-0220.

Respectfully submitted,

  
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Audra Wooten

**FORM PTO-1449 U.S. Department of Commerce  
Patent and Trademark Office**

Attorney Docket Number: 9099-4

Serial No.  
10/005,889

**LIST OF DOCUMENTS CITED BY APPLICANT  
(Use several sheets if necessary)**

Applicants: Robert D. Black et al.

Filing Date: November 7, 2001 Group: 1641

**U. S. PATENT DOCUMENTS**

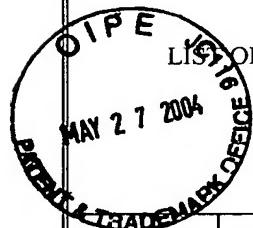
Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	1.	6,650,930	11/18/03	Ding	600	436	
	2.	6,614,025	09/02/03	Thomson et al,	250	370.01	
	3.	6,444,475	09/03/02	Anderson, Jr. et al.	436	161	
	4.	6,363,940	04/02/02	Krag	128	899	
	5.	6,304,766	10/16/01	Colvin, Jr.	600	317	
	6.	6,295,680	10/02/01	Wahl et al.	14	1	
	7.	6,274,159	08/14/01	Marotta et al.	424	426	
	8.	6,272,373	08/07/01	Bouton	600	436	
	9.	6,259,095	07/10/01	Bouton et al.	250	336.1	
	10.	6,242,741	06/05/01	Miller et al.	250	363.02	
	11.	6,240,312	05/29/01	Alfano et al.	600	478	
	12.	6,239,724	05/29/01	Doron et al.	340	870.28	
	13.	6,172,368	01/09/01	Tarr et al,	250	370.07	
	14.	6,099,821	08/08/00	Rich et al.	424	1.61	
	15.	6,093,381	07/25/00	Triozzi et al.	424	1.49	
	16.	6,087,666	07/11/00	Huston et al.	250	484.5	
	17.	6,076,009	06/13/00	Raylman et al.	600	436	
	18.	6,070,096	05/30/00	Hayashi	600	477	
	19.	6,047,214	04/04/00	Mueller et al.	607	61	
	20.	6,025,137	02/15/00	Shyjan	435	6	
	21.	6,015,390	01/18/00	Krag	600	549	
	22.	5,987,350	11/16/99	Thurston	600	436	
	23.	5,939,453	08/17/99	Heller et al.	514	452	
	24.	5,932,879	08/03/99	Raylman et al.	250	370.06	
	25.	5,928,150	07/27/99	Call	600	436	
	26.	5,918,110	06/29/99	Abraham-Fuchs et al.	438	48	
	27.	5,916,167	06/29/99	Kramer et al.	600	436	
	28.	5,891,179	04/06/99	Er et al.	607	27	

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29.	5,879,375	03/09/99	Larson et al.	607	30	
30.	5,857,463	01/12/99	Thurston et al.	128	659	
31.	5,840,148	11/24/98	Campbell et al.	156	275.5	
32.	5,833,603	11/10/98	Kovacs et al.	600	317	
33.	5,814,089	09/29/98	Stokes et al.	607	32	
34.	5,811,814	09/22/98	Leone et al.	250	368	
35.	5,791,344	08/11/98	Schulman et al.	128	635	
36.	5,759,199	06/02/98	Snell et al.	607	60	
37.	5,744,805	04/28/98	Raylman et al.	250	370.01	
38.	5,744,804	04/28/98	Meijer et al.	250	369	
39.	5,732,704	03/31/98	Thurston et al.	128	659	
40.	5,720,771	02/24/98	Snell	607	60	
41.	5,682,888	11/04/97	Olson et al.	128	653.1	
42.	5,681,611	10/28/97	Yoshikawa et al.	427	163.2	
43.	5,656,815	08/12/97	Justus et al.	250	337	
44.	5,630,413	05/20/97	Thomas et al.	128	633	
45.	5,628,324	05/13/97	Sarbach	128	670	
46.	5,626,862	05/06/97	Brem et al.	424	426	
47.	5,626,630	05/06/97	Markowitz et al.	607	060	
48.	5,620,479	04/15/97	Diederich	607	97	
49.	5,620,475	04/15/97	Magnusson	607	30	
50.	5,620,472	04/15/97	Rahbari	128	903	
51.	5,606,163	02/25/97	Huston et al.	250	337	
52.	5,596,199	01/21/97	McNulty et al.,	250	370.07	
53.	5,593,430	01/14/97	Renger	607	9	
54.	5,591,217	01/07/97	Barreras	607	5	
55.	5,572,996	11/12/96	Doiron et al.	128	633	
56.	5,571,148	11/05/96	Loeb et al.	607	40-43	
57.	5,564,434	10/15/96	Halperin et al.	128	675	
58.	5,562,713	10/08/96	Silvian	607	032	
59.	5,557,702	09/17/96	Yoshikawa et al.	385	143	

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Group: 1641

	60.	5,556,421	09/17/96	Prutchi et al.	607	36	
	61.	5,549,654	08/27/96	Powell	607	25	
	62.	5,549,113	08/27/96	Halleck et al.	128	633	
	63.	5,545,187	08/13/96	Bergstrom et al.	607	31	
	64.	5,538,005	07/23/96	Harrison et al.	128	698	
	65.	5,535,752	07/16/96	Halperin et al.	128	670	
	66.	5,517,313	05/14/96	Colvin, Jr.	356	417	
	67.	5,507,786	04/16/96	Morgan et al.	607	27	
	68.	5,505,828	04/09/96	Wong et al.	205	777.5	
	69.	5,497,772	03/12/96	Schulman et al.	128	635	
	70.	5,481,262	01/02/96	Urbas et al.	340	870.17	
	71.	5,480,415	01/02/96	Cox et al.	607	032	
	72.	5,476,488	12/19/95	Morgan et al.	607	030	
	73.	5,470,345	11/28/95	Hassler et al.	607	36	
	74.	5,466,246	11/14/95	Silvian	607	032	
	75.	5,444,254	08/22/95	Thomson	250	370.07	
	76.	5,431,171	07/11/95	Harrison et al.	128	698	
	77.	5,425,361	06/20/95	Fenzlein et al.	128	635	
	78.	5,383,909	01/24/95	Keimel	607	5	
	79.	5,377,676	01/03/95	Vari et al.	128	634	
	80.	5,372,133	12/13/94	Hogen et al.	128	631	
	81.	5,355,880	10/18/94	Thomas et al.	128	633	
	82.	5,354,319	10/11/94	Wyborny et al.	607	032	
	83.	5,354,314	10/11/94	Hardy et al.	128	653	
	84.	5,330,634	07/19/94	Wong et al.	204	409	
	85.	5,324,315	06/28/94	Grevious	607	060	
	86.	5,318,023	06/07/94	Vari et al.	128	633	
	87.	5,314,450	05/24/94	Thompson	607	032	
	88.	5,309,085	05/03/94	Sohn	324	71.5	
	89.	5,264,843	11/23/93	Silvian	340	870	
	90.	5,215,887	06/01/93	Saito	435	014	

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LIBRARY OF DOCUMENTS CITED BY APPLICANT (Use several sheets if necessary)				Applicants: Robert D. Black et al.		
				Filing Date: November 7, 2001		Group: 1641
	91.	5,205,294	04/27/93	Flach et al.	128	696
	92.	5,197,466	03/30/93	Marchosky et al.	128	399
	93.	5,193,538	03/16/93	Ekwall	128	419 PT
	94.	5,186,172	02/16/93	Fiddian-Green	128	632
	95.	5,166,073	11/24/92	Lefkowitz et al.	436	57
	96.	5,163,380	11/17/92	Duffy et al.	119	015
	97.	5,159,262	10/27/92	Rumbaugh et al,	324	765
	98.	5,137,022	08/11/92	Henry	128	419.PT
	99.	5,127,404	07/07/92	Wyborny et al.	128	419.P
	100.	5,126,937	06/30/92	Yamaguchi et al.	364	413.11
	101.	5,117,824	06/02/92	Keimel et al.	128	419 PG
	102.	5,117,113	05/26/92	Thomson et al,	250	370.07
	103.	5,109,850	05/05/92	Blanco et al.	128	635
	104.	5,098,547	03/24/92	Bryan et al.	204	401
	105.	5,012,411	04/30/91	Policastro et al.	364	413.06
	106.	5,008,546	04/16/91	Mazziotta et al.	250	366
	107.	4,989,601	02/05/91	Marchosky et al.	128	399
	108.	4,976,266	12/11/90	Huffman et al.	128	659
	109.	4,970,391	11/13/90	Uber, III	250	374
	110.	4,961,422	10/09/90	Marchosky et al.	128	399
	111.	4,958,645	09/25/90	Cadell et al.	128	903
	112.	4,944,299	07/31/90	Silvian	128	419.PG
	113.	4,935,345	06/19/90	Guilbeau et al.	435	014
	114.	4,919,141	04/24/90	Zier et al.	128	635
	115.	4,900,422	02/13/90	Bryan et al.	204	401
	116.	4,847,617	07/11/89	Silvian	340	970.160
	117.	4,846,191	07/11/89	Brockway et al.	128	748
	118.	4,804,847	02/14/89	Uber III	250	370 F
	119.	4,796,641	01/10/89	Mills et al.	128	748
	120.	4,793,825	12/27/88	Benjamin et al.	128	419
	121.	4,769,547	09/06/88	Uber III	250	374

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LIST OF DOCUMENTS CITED BY APPLICANT (Use several sheets if necessary)				Applicants: Robert D. Black et al.			
				Filing Date: November 7, 2001			Group: 1641
122.	4,750,495	06/14/88	Moore et al.	128	419 PG		
123.	4,719,919	01/19/88	Marchosky et al.	128	401		
124.	4,703,756	11/03/87	Gough et al.	128	635		
125.	4,681,111	07/21/87	Silvian	128	419.PT		
126.	4,678,916	07/07/87	Thomson	250	370		
127.	4,655,880	04/07/87	Liu	204	1 T		
128.	4,651,741	03/24/87	Passafaro	128	633		
129.	4,638,436	01/20/87	Badger et al.	364	414		
130.	4,625,733	12/02/86	Säynäjäkangas	128	687		
131.	4,575,676	03/11/86	Palkuti	324	158 D		
132.	4,571,589	02/18/86	Slocum et al.	128	419 PG		
133.	4,571,292	02/18/86	Liu et al.	204	412		
134.	4,556,063	12/03/85	Thompson et al.	128	419.PT		
135.	4,543,953	10/01/85	Slocum et al.	128	419.PT		
136.	4,541,901	09/17/85	Parker et al.	29\04	1 T		
137.	4,523,279	06/11/85	Sperinde et al.	364	416		
138.	4,519,401	05/28/85	Ko et al.	118	748		
139.	4,494,545	01/22/85	Slocum et al.	128	1.5		
140.	4,484,076	11/20/84	Thomson	250	370.07		
141.	4,431,004	02/14/84	Bessman et al.	128	635		
142.	4,416,283	11/22/83	Slocum	128	419 PG		
143.	4,397,314	08/09/83	Vaguine	128	399		
144.	4,397,313	08/09/83	Vaguine	128	399		
145.	4,361,153	11/30/82	Slocum et al.	128	419.P		
146.	4,326,535	04/27/82	Steffel et al.	128	631		
147.	4,163,380	08/07/79	Masoner	72	342		
148.	3,972,320	08/03/76	Kalman	128	002.1A		
149.	3,638,640	02/01/72	Shaw	128	2R		
150.	3,229,684	01/18/66	Nagumo et al.	600	302		
151.	Re. 32,361	02/24/87	Duggan	128	696		
152.	D424,453	05/09/00	Atterbury et al.	D10	47		

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O I P E LIST OF DOCUMENTS CITED BY APPLICANT (Use several sheets if necessary)  MAY 27 2004 TRADEMARK OFFICE 911 SEARCHED				Applicants: Robert D. Black et al.			
				Filing Date: November 7, 2001			Group: 1641
				153.	D423,377	04/25/00	Atterbury et al.
FOREIGN PATENT DOCUMENTS							
		Date	Country	Class	Subclass	Translation Yes   No	
154.	DE 3219558A1	01/12/83	German			X	
155.	DE3332075	03/22/84	German				
156.	DE4341903A1	14/06/95	German			X	
157.	EP0245073 B1	12/22/93	EPO			X	
158.	EP0386218B1	10/01/96	EPO			X	
159.	EP0420177 A1	03/04/91	EPO			X	
160.	EP0471957A2	02/26/92	EPO				
161.	EP0537761 A2	04/21/93	EPO			X	
162.	GB2263196A	07/14/93	United Kingdom				
163.	WO00/18294	06/04/00	PCT	A61B	5/00		
164.	WO00/29096	25/05/00	PCT			X	
165.	WO00/33065	06/08/00	PCT				
166.	WO00/40299	07/13/00	PCT				
167.	WO02/09775	02/07/02	PCT				
168.	WO02/100485	06/05/02	PCT				
169.	WO02/39917	11/17/00	PCT				
170.	WO02/39918	05/23/02	PCT				
171.	WO95/17809	06/07/95	PCT	95/17809	06/07/95		
172.	WO97/33513	18/09/97	PCT				
173.	WO98/02209A2	01/22/98	PCT			X	
174.	WO98/43701	08/10/98	PCT			X	
175.	WO98/58250	12/23/98	PCT			X	
176.	WO99/48419	09/30/99	PCT	A61B	5/00		
177.	WO99/58065	11/18/99	PCT				
178.	WO99/63881	12/16/99	PCT				
OTHER NON PATENT LITERATURE DOCUMENTS							

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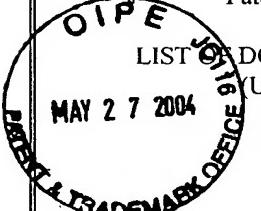
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	179.	Akin et al., <i>RF telemetry powering and control of hermetically sealed integrated sensors and actuators</i> , Proc. Solid-State Sensors & Actuators Workshop, Hilton Head, SC, pp 145-148 (1990).	
	180.	Akin, T., K. Najafi, R.M. Bradley, <i>An implantable multichannel digital neural recording system for a micromachined sieve electrode</i> , Proc. Int. Conf. on Solid-State Sensors and Actuators, Stockholm, Sweden, Vol. 1, pp. 51-54 (June 1995).	
	181.	Alecu et al., <i>Dose perturbations due to in vivo dosimetry with diodes</i> " Radiotherapy and Oncology, pp. 289-291, Vol. 42, (1997).	
	182.	Barber et al., <i>Comparison of NaI(Tl), CdTe, and HgI2 surgical probes: physical characterization</i> , Med. Phys., 18(3):373-381 (May-June 1991).	
	183.	Barthe, Jean, <i>Electronic dosimeters based on solid state detectors</i> , Nuclear. Instruments. and Methods in Physics Research Sec. B vol. 184, pp 158-189 (2001).	
	184.	Bergh, Van Den, H., <i>On the Evolution of Some Endoscopic Light Delivery Systems for Photodynamic Therapy</i> , Endoscopy, May 1998, pp. 392-407	
	185.	Berthold et al., <i>Method for in-situ detection of tritium in water</i> , McDermott Technology Inc./RDTPA 99-03, pp. 1-9 (Sept. 19-22, 1999).	
	186.	Biotelemetry, Inc., 6520 Contempo Lane, Boca Raton, Florida 33433, Tel: 407-394-0315. Biotelemetry Page, <a href="http://speed.nimh.nih.gov/telemetry/classx.html">http://speed.nimh.nih.gov/telemetry/classx.html</a> , Feb. 1997.	
	187.	Blackstock et al., <i>Tumor retention of 5-fluorouracil following irradiation observed using 19F nuclear magnetic resonance spectroscopy</i> , Init J Radiat Oncol Biol Phys, 36(3):641-648 (Oct. 1, 1996).	
	188.	Bojsen et al., <i>A portable external two-channel radiotelemetrical GM-detector unit, for measurements of radionuclide-tracers in vivo</i> , Int J Appl Radiat Isot, 25(4):161-166 (Apr. 1974).	
	189.	Bojsen et al., <i>A radiotelemetrical measuring device, implantable on animals, for long term mersurements of radionuclide tracers</i> , Int J Appl Radiat Isot, 23(11):505-511 (Nov. 1972).	
	190.	Braichotte et al., <i>Clinical Pharmacokinetic Studies of Photofrin by Fluorescence Spectroscopy in the Oral Cavity, the Esophagus, and the Bronchi</i> , CANCER, Volume 75, No. 11, June 1, 1995, pp. 2768-2778	
	191.	Brochure, <i>Be as smart as you can be with BMDS and Smart Alec™ your partners in intelligence</i> , Bio Medic Data Systems, Inc. (©1999).	
	192.	Brochure, <i>Come along for the incredible journey in the development of the IPTT-200</i> , Bio Medic Data Systems, Inc. (©2000).	
	193.	Butson, Martin J. et al, <i>A new radiotherapy surface dose detector: The MOSFET</i> , Medical Physics, American Institute of Physics, Vol. 23 (5) pp 655-658 (May 1996).	
	194.	Cortese et al., <i>Clinical Application of a New Endoscopic Technique for Detection of In Situ Bronchial Carcinoma</i> , Mayo Clinic Proceedings, Volume 54, October 1979, pp. 635-641	
	195.	Cosofret et al., <i>Microfabricated sensor arrays sensitive to pH and K+ for ionic distribution measurements in the beating heart</i> , Analytical Chemistry, Vol. 67, pp. 1647-53 (1995).	
	196.	Daghigian et al., <i>Intraoperative beta probe: a device for detecting tissue labeled with positron or electron emitting isotopes during surgery</i> , Med Phys, 21(1):153-157 (Jan. 1994).	

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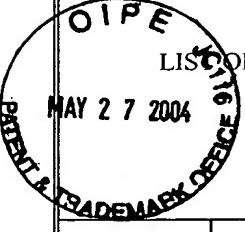
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